

**REMARKS**

Claims 45 and 46 are herein added. Claims 1 - 44 were previously pending. Claims 6 and 8 are herein cancelled. Accordingly, claims 1 – 5, 7 and 9 - 46 are presently pending.

The Examiner is thanked for noting the allowable subject matter of claims 12 – 14 and 32 – 34. New claims 45 and 46 are submitted as containing the subject matter noted as allowable by the Examiner, albeit in independent form.

**I. The Drawings**

Fig. 1 is objected to for illustrating that which is old without being labeled as prior art. Applicant herewith submits one (1) replacement sheet in which Fig. 1 is clearly labeled as prior art. The Examiner is respectfully requested to withdraw the objection to the drawings as Applicant has complied with the Examiner's requested action.

**II. Claim Objections**

Claims 1, 2 and 38 are objected to for use of the phrase "and/or". Applicant has amended the claims (as shown herein) by deleting certain of the objected-to language. The Examiner is respectfully requested to withdraw this objection to the claims as Applicant has complied with the Examiner's requested action.

**III. Rejection of Claim 3 Under 35 U.S.C. § 102 in View of U.S.P. No. 6,507,590 to Terho**

Claim 3 is rejected under 35 U.S.C. § 102 in view of the Terho reference. This rejection is respectfully traversed as follows.

The Examiner compares Terho's element 64 from Fig. 7 (a 24 bit Frame Check Sequence) to the features of independent claim 3 wherein location information is included in the header of each protocol unit. This comparison is inapposite.

As shown in Terho's Fig. 7, and as explained in the text explaining Fig. 7 (Col. 8, lines 1 – 35), Terho's Frame Check Sequence 64 is not a part of the protocol unit's header 59. Element 64 is absolutely separate and distinct from the header 59. In comparison, Applicant's claim 3 requires that the location information be part of the header of the protocol unit. Terho is therefore absolutely deficient. In view of the previous, the Examiner is respectfully requested to reconsider and withdraw this rejection.

**IV. Rejection of Claims 1, 2, 4 – 8, 15 – 17, 21 – 28 and 35 – 44 Under 35 U.S.C. § 103 in View of U.S.P. Nos. 6,507,590 to Terho and 5,657,316 to Nakagaki**

Claims 1, 2, 4 – 8, 15 – 17, 21 – 28 and 35 – 44 are rejected under 35 U.S.C. § 103 in view of the Terho and Nakagaki references. This rejection is respectfully traversed as follows.

Independent claims 1, 3, 5 and 38 each include the feature of location information being provided in the header of each protocol unit. As shown in Terho's Fig. 7, and as explained in the text explaining Fig. 7 (Col. 8, lines 1 – 35), Terho's Frame Check Sequence 64 is not a part of the protocol unit's header 59. Element 64 is absolutely separate and distinct from the header 59.

Moreover, Nakagaki fails to cure Terho's deficiencies. By way of explanation, the Examiner compares Nakagaki's sequence number field to Applicant's recital of location information being provided in the header of each protocol unit. Such a comparison cannot be made, however, because Nakagaki's sequence number field "is provided in the user data 122" and is not a part of the header 121. *See* Col. 2, lines 20 – 23, and Figs. 3A and 3B.

In view of the previous, Applicant asserts the patentability of claims 1, 2, 4 – 8, 15 – 17, 21 – 28 and 35 – 44, and respectfully asks the Examiner to reconsider and withdraw this rejection.

Additionally, Applicant further asserts the patentability of independent claims 1 and 5 (and dependent claims 2, 7, 9 – 22 and 25 – 37 at least by virtue of their dependency) based on the following. Neither Nakagaki nor Terho discloses or suggests the claimed feature of location information being provided in the header of a protocol unit. It is therefore impossible for either of the references to teach or suggest that the length and location information be added to the header of a preceding or succeeding protocol unit header.

In view of the previous, Applicant asserts the patentability of claims 1, 2, 5, 7, 9 – 22 and 25 – 37, and respectfully asks the Examiner to reconsider and withdraw this rejection.

**V. Rejection of Claims 9 – 11, 18 – 20 and 29 – 31 Under 35 U.S.C. § 103 in View of U.S.P. Nos. 6,507,590 to Terho, 5,657,316 to Nakagaki, and 6,728,208 to Puuskari**

Claims 9 – 11, 18 – 20 and 29 – 31 are rejected under 35 U.S.C. § 103 in view of the Terho, Nakagaki and Puuskari references. This rejection is respectfully traversed as follows.

As noted in Part IV of this paper, the Terho and Nakagaki references are absolutely deficient. The Puuskari reference fails to cure the noted deficiencies. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

**VI. New Claims 45 and 46**

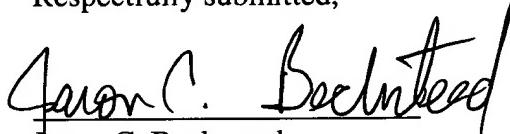
New claims 45 and 46 are asserted as patentable at least by virtue of inclusion of subject matter noted by the Examiner as allowable in the Office Action of July 16, 2004.

**VII. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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